

MARKED UP VERSION SHOWING CHANGES MADE

In the Claims

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Please cancel Claims 9, 21, and 29-41.

Please amend Claims 1, 7-8, 10-11, 22, 24, 27-28 and 42 as follows:

1. (Once Amended) A composition, comprising a 2 to 20 base [3'-OH, 5'-OH]3'-OH, 5'-OH synthetic phosphodiester nucleotide sequence selected from the group consisting of (G_xT_y)_n, (T_yG_x)_n, a(G_xT_y)_n, a(T_yG_x)_n, (G_xT_y)_nb, (T_yG_x)_nb, a(G_xT_y)_nb, and a(T_yG_x)_nb, wherein x and y is an integer between 1 and 7, n is an integer between 1 and 12, a and b are one or more As, Cs, Gs or Ts, and a pharmaceutically acceptable carrier[.], wherein the composition is useful for inducing a response in an animal having cancer when administered in an effective amount to the animal having cancer.

7. (Once Amended) [A]The composition[, comprising a sequence selected from the group consisting SEQ ID NOs:7:18, 23-47, 50-66, and 81-83 and a pharmaceutically acceptable carrier.] of Claim 1, wherein the phosphodiester nucleotide sequence is selected from the group consisting of SEQ ID NOs: 7-18, 23-47, 50-66, and 81-83.

8. (Once Amended) The composition of [claim 7]Claim 1, [further comprising a chemotherapeutic agent.]wherein the phosphodiester nucleotide sequence is selected from the group consisting of SEQ ID Nos: 7, 8, 9, 10, 22-65, 70-75, 79 and 80.

10. (Once Amended) The composition of [claim 9]Claim 5, wherein the chemotherapeutic agent is selected from the group consisting of [an antimetabolite]antimetabolites, [an alkating agent] alkylating agents and [an] hormone [antagonist]antagonists.

11. (Once Amended) A method, wherein a composition comprising a [2-20]2 to 20 base [3'-OH, 5'-OH]3'-OH, 5'-OH [synthetic] phosphodiester nucleotide sequence selected from the group consisting of $(G_xT_y)_n$, $(T_yG_x)_n$, $a(G_xT_y)_n$, $a(T_yG_x)_n$, $(G_xT_y)_nb$, $(T_yG_x)_nb$, $a(G_xT_y)_nb$, and $a(T_yG_x)_nb$, wherein x and y is an integer between 1 and 7, n is an integer between 1 and 12, a and b are one or more As, Cs, Gs or Ts, and a pharmaceutically acceptable carrier₂ is administered to an animal having cancer in an amount effective to induce a response selected from the group consisting of induction of cell cycle arrest, inhibition of proliferation, activation of caspases and induction of apoptosis in cancer [cell]cells, and production of cytokines by immune system cells.

22. (Once Amended) The method of [claim]Claim [21]11, wherein the cytokines are selected from the group consisting of IL-1-beta, IL-6, IL-10, IL-12, and TNF-alpha.

24. (Once Amended) The method of [claim]Claim 23, wherein the cancer is selected from the group consisting of leukemia, lymphoma, breast, prostate, colorectal, ovarian and bone cancer, and metastases therefrom.

27. (Once Amended) [A]The method[, wherein a composition comprising a 2-20 base 3'-OH, 5'-OH synthetic sequence selected from the group consisting SEQ ID Nos:7-18, 23-47, 50-66, and 81-83 and a pharmaceutically acceptable carrier is administered to an animal having cancer in an amount effective to induce a response selected from the group consisting of induction of cell cycle arrest, inhibition of proliferation, activation of caspases and induction of apoptosis in cancer cells and production of cytokines by immune system cells.] of Claim 11, wherein the phosphodiester nucleotide sequence is selected from the group consisting of SEQ ID NOs: 7-18, 23-47, 50-66, and 81-83.

28. (Once Amended) The method of [claim 27]Claim 11, wherein the phosphodiester nucleotide [sequences]sequence [are]is selected from the group consisting of SEQ ID NOs: 7[, 8, 9, 10, 22-65, 70-75, 79 and 80.]-10, 22-65, 70-75, and 79.

42. (Once Amended) [A]The method[, wherein a composition comprising a sequence selected from the group consisting of SEQ ID Nos:7-18, 23-47, 50-66, and 81-83 and a pharmaceutically acceptable carrier is administered to an animal having cancer in an amount effective to treat the cancer in the animal] of Claim 11, wherein the phosphodiester nucleotide sequence is selected from the group consisting of SEQ ID NOs: 9, 10, 23-49, 70-75, and 79.

REMARKS

By this Amendment, Claims 1, 7-8, 10-11, 22, 24, 27-28, and 42 are amended, Claims 21, 29, and 30-41 are canceled, and Claims 43-45 have been added. There are now 30 Claims pending, they are Claims 1-8, 10-20, 22-28, and 42-45. Applicants respectfully request consideration of the present claims in view of the foregoing amendments.

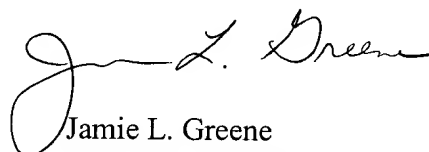
Applicants respectfully request that the Preliminary Amendment be entered.

Conclusion

No additional fees are believed due; however the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 11-0855.

In light of the amendments, Applicants are of the opinion that the application is now in condition for allowance. Such action is respectfully requested. If the Examiner believes there are any other issues that may be resolved by telephone interview, a telephone call to the undersigned attorney at (404) 745-2473 is courteously solicited.

Respectfully submitted,


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